



W.P.(MD).No.28777 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11-11-2025

CORAM :

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.28777 of 2025

and

WMP(MD).Nos.22371 & 22372 of 2025

The Correspondent and Headmistress
Sacred Heart Hr.Sec. School
Michaelpatti - 613 104
Thanjavur District.

...Petitioner

Vs

1. The State of Tamil Nadu
Rep. by its Secretary
Department of School Education
Fort St.George
Chennai - 600 009.

2. The Director of School Education
College Road,
Chennai - 600 006.

3. The Chief Educational Officer
The Office of the CEO,
Panagal Building,
Thanjavur District - 613 001.

4. The District Educational Officer
The Office of the DEO,
Childrens Park Campus,
Thanjavur District - 613 001.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by the 3rd respondent Chief Educational Officer in Na.Ka.No. 3083/A3/2025 dated 11.07.2025 (Submitted to Court on 29.08.2025), quash the same and further direct the 3rd and 4th respondents to approve forthwith the appointment of Sr.A.Velankanni as B.T.Assistant (Maths) in the petitioner school, w.e.f. 13.06.2024 and disburse grant-in-aid towards her salary and other attendant benefits, and pass such other or further orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioner : M/s. S Amala Irudhaya Mary

For Respondents : M/s.N.Satheesh Kumar,
Additional Government Pleader

ORDER

This writ petition is filed challenging the impugned proceedings issued by the 3rd respondent Chief Educational Officer in Na.Ka.No. 3083/A3/2025 dated 11.07.2025 and seeking a consequential direction to the 3rd and 4th respondents to approve forthwith the appointment of Sr.A.Velankanni as B.T.Assistant (Maths) in the petitioner school, w.e.f. 13.06.2024 and disburse grant-in-aid towards her salary and other attendant benefits.

2. The petitioner's institution had submitted a proposal seeking approval of the appointment of Sr.A.Velankanni as B.T. Assistant (Maths). The said proposal has been returned with a direction to produce the teacher eligibility test certificate of the appointed teacher.



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3. I have carefully considered the submissions made by the learned Counsels appearing on either side and perused the material available on record.

4. The requirement of the qualification of TET in respect of the minority institutions had been decided in the judgement of the Hon'ble Apex Court in Paramathi case. Even though, the same is subject matter referred to a full bench till the decision is taken by the full bench, the judgement in Paramathi's case will hold good. Taking into apprehension that if the larger bench holds that the judgement in Parmathi's case is not a good law, then the requirement of TET will get back to the date of statute namely the Right to Education Act and if any approval is directed to be given from the date of appointment it would only drive the management and the teacher appointed to initiate further litigation as the Government will attempt to recover the grants given with regard to the such appointments.

5. For the aforesaid reasons, this writ petition stands disposed of with the following directions:



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“a) The respondents shall grant in-principle approval to the proposal sent by the petitioner institution for the appointment of Sr.A.Velankanni, B.T. Assistant (Maths).

b) Such approval shall be subject to the orders to be passed by the Hon'ble Apex Court.

c) On grant of such approval, the petitioner would be entitled for the sanctioned salary from the date of this order and if the qualification is held in favour of the petitioner by the Hon'ble Apex Court, then the approval should revert back to the date of appointment of the said BT Assistant teacher and the arrears of salary from the date of appointment till the date of this order shall be paid by the respondents, within a period of four (4) weeks of the order passed by the Hon'ble Apex Court.”

6. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

11.11.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
gvn

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K.KUMARESH BABU, J.

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